

Applicant: Y. Ikeda, et al.  
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### **REMARKS**

Applicants appreciate the Examiner's thorough examination of the subject application and request reconsideration of the subject application based on the foregoing amendments and the following remarks. Applicants also acknowledge with thanks the telephone conference with the Examiner regarding the outstanding Office Action and more particularly, the principal reference forming the rejections.

Claims 3, 4, 7, 9-16 and 22-32 are pending in the subject application. Claim 13 is acknowledged as being allowable by the Examiner.

Claims 3, 4, 7, 9-16 and 22-32 stand rejected under 35 U.S.C. §112, second paragraph.

Claims 3, 4, 7, 9-11, 15, 20, 24, 26, 28 and 29 were amended to address the non-art rejections. The amendments to the claims are supported by the originally filed disclosure.

### **35 U.S.C. §112, SECOND PARAGRAPH REJECTIONS**

Claims \_\_\_\_ stand rejected under 35 U.S.C. §112 on the grounds that there are antecedent basis, indefiniteness and/or vagueness concerns with the identified claims. The office Action further provides that claims \_\_\_\_ stand rejected because of their dependency from a rejected claim with an identified concern. / Because, specific comments were not provided regarding the language of claims \_\_\_\_, it is presumed that these claims stand rejected because of their dependency from a rejected claim with an identified concern. The following addresses the rejections provided by the Examiner.

As provided above, above, claims ... were amended to address the non-art concerns

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specifically identified by the Examiner. Applicants thus believe that the areas of rejection have been identified and addressed in the foregoing amendment.

As provided in MPEP-2173.05(a), "[i]f the claims, read in light of the specification, reasonably apprise those skilled in the art both of the utilization and scope of the invention, and if the language is precise as the subject matter permits, the statute (35 U.S.C. 112, second paragraph) demands no more..." (citations omitted). Also, MPEP-2173.04 provides that breadth of a claim is not to be equated with indefiniteness (citations omitted). It is clear that one skilled in the art would understand and be apprised of the scope of the invention and its utilization, upon reading the as-amended claims in light of the specification.

Also, and as set forth in MPEP-2173.01, a *fundamental* principle contained in 35 U.S.C. §112, second paragraph is that applicants are their own lexicographers. Further applicants can define in the claims what they regard as their invention essentially in whatever terms they choose so long as the terms are not used in ways that are contrary to accepted meanings in the art.

Accordingly, it is respectfully submitted that claims 3, 4, 7, 16, 20 and 22-32 satisfy the requirements of 35 U.S.C. §112 and, as such, are in a condition for allowance.

It is respectfully submitted that the subject application is in a condition for allowance. Early and favorable action is requested.

Applicants believe that additional fees are not required for consideration of the within Response. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, the Commissioner is hereby authorized and requested to charge Deposit


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